

EAGAN AVENATTI, LLP  
 Michael Q. Eagan, Bar No. 63479  
 Michael J. Avenatti, Bar No. 206929  
 450 Newport Center Drive, Second Floor  
 Newport Beach, CA 92660  
 Tel: (949) 706-7000  
 Fax: (949) 706-7050

Attorneys for Defendant

LEXINGTON LAW GROUP  
 Mark N. Todzo (State Bar No. 168389)  
 Howard Hirsch (State Bar No. 213209)  
 1627 Irving Street  
 San Francisco, CA 94122  
 Telephone: (415) 759-4111  
 Facsimile: (415) 759-4112  
 motodzo@lexlawgroup.com

Christopher M. Burke (State Bar No. 214799)  
 SCOTT + SCOTT LLP  
 600 B Street, Suite 1500  
 San Diego, CA 92101  
 Telephone: (619) 233-4565  
 Facsimile: (619) 233-0508  
[cburke@scott-scott.com](mailto:cburke@scott-scott.com)

Attorneys for Plaintiff  
 C.F.C., a minor, by and through  
 Christine F., his parent and guardian

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

C.F.C., minor, by and through CHRISTINE F., his  
 parent and guardian, on behalf of himself and all  
 others similarly situated,

Plaintiff,

vs.

POWER BALANCE LLC, a Delaware Limited  
 Liability Company,

Defendant.

Case No. 11-cv-0487-EMC

**CLASS ACTION**

**JOINT STIPULATION TO EXTEND TIME  
 ORDER**

Complaint Filed: February, 1 2011  
 Trial Date: None set

**STIPULATION TO EXTEND DEADLINE TO ANSWER OR RESPOND**

C.F.C., minor, by and through Christine F., his parent and guardian, ("Plaintiff") and Power Balance LLC ("Defendant") stipulate as follows:

**WHEREAS**, there are presently approximately fifteen (15) separate actions pending in federal district courts in California, and elsewhere, raising similar claims regarding the marketing and sale of Power Balance products ("Power Balance Actions").

**WHEREAS**, there are three motions pending before the Judicial Panel on Multidistrict Litigation ("JPML") that, if granted, would transfer and consolidate the Power Balance Actions, including this one, before one court for pretrial and discovery purposes.

**WHEREAS**, the hearing on the motions for consolidation and transfer of the Power Balance Actions is set for hearing on March 30, 2011 in San Diego, California.

**WHEREAS**, Defendant's responsive pleading is presently due on February 23, 2011, but in consideration of the foregoing, Plaintiff and Defendant have agreed to extend Defendant's deadline to file a response to the Complaint in this action, by answer or motion, until two weeks after the final JPML determination on whether to transfer this action.

Accordingly, it is hereby stipulated and agreed that Defendant shall have until two weeks after the JPML decision on whether to transfer this action to file an answer or otherwise respond to the Complaint in this action. This stipulation is made without prejudice to seek further additional time if necessary.

Dated: February 23, 2011

EAGAN AVENATTI, LLP

IT IS SO ORDERED:

By: /s/ Michael J. Avenatti  
Michael J. Avenatti  
Attorneys for Defendants

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Edward M. Chen  
U.S. Magistrate Judge

LEXINGTON LAW GROUP

By: /s/ Mark Todzo  
Mark Todzo  
Attorneys for Plaintiff

